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**FACSIMILE TRANSMISSION****DATE:** September 30, 2005**TIME IN:**  
**TIME OUT:****TO:**

Name	Fax Number	Phone Number
Dennis Butler, Examiner U.S. Patent and Trademark Office Group Art Unit 2115	571-273-8300	571-272-3663

**FROM:** Daniel R. Pote**PHONE:** 602-382-6325

**RE:** Our Docket No. 37829.0800  
U.S. Patent Application Serial No. 10/073,611

**MESSAGE:**

Transmitted herewith is a Notice of Appeal, in response to the Final Office Action of May 31, 2005. Thank you.

Sincerely, Daniel R. Pote, Reg. No. 43,011

**ORIGINAL DOCUMENT:** Will not be sent**NUMBER OF PAGES (Including Cover):** 72**CONFIRMATION NO.:****CLIENT MATTER NO.:** 99999.0000**PLEASE RETURN TO:** Nieto 15S02**PERSONAL FAX:** No**REQUESTOR:** Daniel R. Pote**DIRECT LINE:** 602-382-6325

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OUR FACSIMILE NUMBER IS (602) 382-6070.**

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PAGE 1/7 \* RCVD AT 9/30/2005 3:12:34 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-6/34 \* DNIS:2738300 \* CSID:602 382 6070 \* DURATION (mm:ss):02:04

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## CERTIFICATE OF TRANSMISSION VIA FACSIMILE PURSUANT TO 37 C.F.R. 1.6(d)

I certify that this document is being sent via facsimile to the U.S. Patent And Trademark Office to the attention of Examiner Dennis Butler, facsimile no. 571-273-8300, on:

Date: 9-30-05By: Dennis Butler  
Signature of Person Depositing FacsimileIN THE UNITED STATES PATENT  
AND TRADEMARK OFFICEPATENT

Applicant:	Paula A. LaBerge	Docket No.	37829.0800
Serial No.:	10/073,611	Filing Date:	February 11, 2002
Group Art Unit:	2115	Examiner:	Dennis Butler
Title:	METHOD AND APPARATUS FOR DATA TRANSFER	Confirmation No.:	6298

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached herewith is a Notice of Appeal filed pursuant to 37 C.F.R. §1.191 in the above-identified application in response to the Final Office Action of May 31, 2005.

☐ Small entity status under 37 C.F.R. §§1.9 and 1.27 is claimed.

## Fee Calculation: Request for Extension of Time pursuant to 37 C.F.R. §1.136(a)

<input checked="" type="checkbox"/>	Response filed within first month after due date - add	\$ 120.00	\$120.00
<input type="checkbox"/>	Response filed within second month after due date - add	\$450.00	N/A
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If one of the "small entity" boxes above is checked, enter half (1/2)  
of the subtotal and subtract.

SUBTOTAL: \$120.00

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Serial No. 10/073,611

**Fee Calculation: Notice Of Appeal**☒ Notice of Appeal Fee

\$500.00

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**SUBTOTAL: \$500.00****TOTAL FEES DUE: \$620.00**

- ☒ Please charge Deposit Account No. 19-2814 in the amount of \$620.00 For which purpose a duplicate copy of this sheet is attached.
- ☐ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ is attached.
- ☐ No Additional Fee Required

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any other fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

Date: 9/30/05By:   
Daniel R. Fete, Reg. No. 43,011

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400 East Van Buren  
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I certify that this document is being sent via facsimile to the U.S. Patent And Trademark Office to the attention of Examiner Dennis Butler, facsimile no. 571-273-8300, on:

Date: 9-30-05By: Emi Nieto

Signature of Person Depositing Facsimile

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE****PATENT**

Applicant: Paula A. LaBerge

Docket No. 37829.0800

Serial No.: 10/073,611

Filing Date: February 11, 2002

Group Art Unit: 2115

Examiner: Dennis Butler

Title: METHOD AND APPARATUS  
FOR DATA TRANSFER

Confirmation No.: 6298

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed May 31, 2005, finally rejecting claims 1, 3, 34, 36-39 and 41-42.

Pursuant to 37 C.F.R. § 1.17(b) the Commissioner is hereby authorized to debit the Notice of Appeal fee for a large entity, in the amount of \$500.00 from Deposit Account No. 19-2814, as well as a one (1) month Extension Fee for a small entity, in the amount of \$120.00 (for a total of \$620.00). In the event of any deficiency or overpayment in the authorized fees, the Commissioner is hereby authorized to charge any such deficiency or credit any such overpayment to Deposit Account No. 19-2814, for which purpose a duplicate copy of this notice is enclosed. This statement does not authorize charge of the Issue Fee.

Respectfully submitted,

Date: 9/30/05  
Daniel R. Pote, Reg. No. 43,011

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**IN THE UNITED STATES PATENT  
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**PATENT**

Applicant:	Paula A. LaBerge	Docket No.	37829.0800
Serial No.:	10/073,611	Filing Date:	February 11, 2002
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Respectfully submitted,

Date: 9/30/05

Daniel R. Pote  
Daniel R. Pote, Reg. No. 43,011

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